



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

*Insurance Building, P.O. Box 43113 Olympia, Washington 98504-3113 (360) 902-0555*

January 29, 2003

TO: Chief Ronal W. Serpas

FROM: Marty Brown, Director

SUBJECT: Washington State Patrol Reported Incident (03-01) Does Not Merit Review

Pursuant to RCW 43.41.370 and the Guidelines For Reporting Incidents to the Office of Financial Management (OFM), the Washington State Patrol (WSP) submitted an Incident Report to OFM. The Report notifies OFM that on August 2, 2002, a motorcycle lost control when fleeing from a trooper who was attempting to stop the vehicle for speeding. The WSP was conducting an internal investigation into the pursuit.

The WSP investigation found that the motorcycle was speeding. When the trooper attempted to stop the motorcycle, it failed to stop, losing control and crashed. The passenger was injured.

The WSP did an internal review of the trooper's actions in relation to WSP regulations and training. The review concluded that the trooper acted within the WSP pursuit policy guidelines. The pursuit policy was also reviewed in regards to this incident. The WSP determined that the policy did not need revision as a result of this incident.

RCW 43.41.370(1) requires the Director of OFM to appoint a loss prevention review team when the death of a person, serious injury to a person, or other substantial loss is alleged or suspected to be caused at least in part by the actions of a state agency unless the Director, in his or her discretion, determines that the incident "does not merit review". Applying the criteria for loss prevention reviews, issued November 18, 2002, I have determined that the incident you reported does not merit review. A person was injured as a result of the motorcycle failing to heed the trooper's request. However, the WSP internal investigation reviewed the trooper's conduct and concluded he is properly trained and followed the pursuit policy. In addition, the WSP concluded that the policy did not need revision. It does not appear that an additional review would reduce future risk. Therefore, no further review is warranted at this time.

This decision will be posted on the OFM website. If you have any questions about the criteria or its application to this incident, please contact either Roselyn Marcus at (360) 902-7396 or Gary Robinson at (360) 902-0528.

C: Joseph Olson, Legal Officer  
Roselyn Marcus, Loss Prevention Review Team Manager